

## A. STATE-AT-A-GLANCE

1) Program Operation	State-administered
2) Number of Local Offices (excluding Agencies under Cooperative Agreements)	4 regional offices, 20 local district offices
3) Type of Agencies with Cooperative Agreements	Legal Services: Office of the Attorney General and County or City Commonwealth Attorneys; Virginia Employment Commission; Division of Motor Vehicles; Department of Taxation; Department of Lottery; Department of Corrections; Department of Commerce; and Credit Reporting Agencies; others; Department of Health, Department of Medical Assistance Services and Electronic Parent Locator Network
4) Uniform Interstate Family Support Act	Yes
5) Agreements With Tribal Entities	No
6) Age of Majority for Termination of Support	Support will continue for any child that is a full-time high school student, not self-supporting, and living in the home of the parent, until the child reaches the age of nineteen (19) or graduates from high school, whichever comes first. Support terminates when the child turns 18 if the child is not in high school.
7) Statutes of Limitation:	
• Collection of Past Due Support	No
• Paternity Establishment	Age of Majority of Child (18)
Dormancy Revival/Renewal Possible [yes/no]	No
8) Guidelines	Income shares based on the combined gross income of both parents
9) Interest Rates on	
• Missed Payments	Statutory rate 9%
• Retroactive Support	01-Jul-73 30-Jun-81 8% 01-Jul-81 30-Jun-83 10% 01-Jul-83 30-Jun-87 12% 01-Jul-87 30-Jun-91 8% 01-Jul-91 30-Jun-96 9%
• Adjudicated Arrearage	Statutory rate 9%
10) Arrearage Collections for Non-minor Child(ren)	Yes, all administrative remedies available

<b>11) Distribution Scheme</b>	
• <b>AFDC Arrears</b>	Current support is paid first (if multiple cases exists, monies are prorated among all the cases). AFDC arrears are paid next, then Non-AFDC arrears are paid
• <b>Non-AFDC Arrears</b>	Current support is paid first (if multiple cases exists, monies are prorated among all the cases). AFDC arrears are paid next, then Non-AFDC arrears are paid
<b>12) Procedures Regarding Medical Support Using Income Withholding</b>	Yes
<b>13) New Hire Reporting</b>	Yes
<b>14) Recovery of Costs Elected Under State Plan</b>	Yes, from the Obligor
<b>15) Recovery of Costs for Initiating State</b>	Yes, the IV-D attorney can request court to order obligor top pay costs; once ordered, VA seeks recovery
<b>16) Long-Arm Statute/s Citation/s</b>	Yes, 20-88.35 of the Code of Virginia
<b>17) Automated Locate Resources</b>	Department of Motor Vehicles (DMV), Virginia Employment Commission (VEC), National Personnel and Records Center (NPRC), Department of Health Professions (DHP), Department of Defense\Department of Transportation (DOD\DOT), Department of Personnel and Training (DPT), Board of Elections, Game and Inland Fisheries, Virginia Power Company, Department of Taxation, Consumer Reporting Agencies, Department of Medical Assistance, Electronic Parent Locator Network (EPLN)
<b>18) Enforcement Options</b>	
• <b>State Income Tax Refund Intercept</b>	Yes
• <b>License Revocation/ Suspension</b>	Yes
• <b>Administrative Liens</b>	Yes
• <b>Property Seizure &amp; Sale</b>	Yes
• <b>State Funds/Benefits (please specify)</b>	Unemployment compensation benefits, Worker's compensation,
• <b>Other (please specify)</b>	Comptroller vendor debt set-off, lottery winnings, Orders to withhold and deliver against bank accounts, bonds, securities, and guarantees

<b>19) Spousal Maintenance Orders</b> <i>(specify yes or no)</i>	
• <b>Establish</b>	No, establishment of spousal support must be done through the courts
• <b>Enforce</b>	Yes, when there is also a child support order
• <b>Modify</b>	No
<b>20) Current Spouse/Partner Information Required</b>	No

## B. UNIFORM INTERSTATE FAMILY SUPPORT ACT

<b>1) State Code Citation</b>	Chapter 5.3 of the Code of Virginia
<b>2) Effective Date</b>	July 1, 1994
<b>3) Adopted Verbatim? If no, list differences.</b>	Did not include Putative Father Registry in bases for jurisdiction, did not include Duty of attorney for the Commonwealth, other minor technical amendments that do not change the intent of the Act. The direct income withholding provision is included in the statute (501).
<b>4) Repeal URESA?</b>	Yes
<b>5) Repeal IWW?</b>	No

## C. INCOME WITHHOLDING

<b>1) Income Withholding Terminology</b>	Administrative: Mandatory Withholding of Earnings; Immediate Withholding of Earnings; Orders to Withhold and Deliver, Judicial: Mandatory Payroll Deduction Order, Immediate Payroll Deduction Order
<b>2) Income Withholding Procedures</b>	
• <b>State Withholding Limits</b>	<p>If immediate wage withholding (e.g. NCP is not delinquent) - 50% is the maximum of net pay that may be withheld if the NCP is supporting a spouse or child other than those for whom the withholding is being implemented.</p> <p>60% is the maximum of net pay that may be withheld if the NCP has no dependents other than those for whom the withholding is being implemented.</p> <p>If wage withholding is being implemented because the NCP is delinquent and the NCP is supporting a spouse or child other than those for whom the withholding is being implemented, , and</p>

	<p>the support payments are delinquent for a period which is equal to or less than 12 weeks, the maximum of net pay that may be withheld is 50%.</p> <p>The support payments are delinquent for a period which is more than 12 weeks, the maximum amount that may be withheld is 55%.</p> <p>If the NCP has no other dependents, and the support payments are delinquent for a period which is equal to or less than 12 weeks, the maximum amount that may be withheld is 60%.</p> <p>If support is delinquent for a period which is more than 12 weeks, the maximum amount that may be withheld is 65%</p>
<b>• Fee Charged by Employers</b>	\$5 fee for each reply or remittance sent to the Division
<b>• Date to Remit</b>	Each regular payday
<b>• Penalty</b>	The employer is liable for any amount not timely withheld.
<b>3) Definition of Employer</b>	An individual, partnership, association, corporation, legal representative, receiver, trustee, or trustee in bankruptcy doing business in or operating within the Commonwealth who employs another to work for wages, salaries, or on commission and shall include any similar entity acting directly or indirectly in the interest of an employer in relation to an employee.
<b>4) Included Income</b>	Earnings means current or future income due from the obligor's employer and compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonus, or otherwise, and specifically includes periodic payments currently being made by the obligor pursuant to pension or retirement programs, unemployment compensation benefits, worker's compensation benefits, debts owed the obligor and any income or profits due the obligor from any source, including gambling, lotteries, prizes or any other windfall or other payment type, except where excluded by state or federal law.
<b>5) Excluded Income</b>	AFDC, SSI, college work study, annuities to survivors of federal judges, veterans' benefits, benefits for victims of crime, burial contracts, proceeds from industrial sick benefits insurance, benefits from group life insurance, growing crops not severed
<b>6) Direct Income Withholding for Unemployment Compensation, include address</b>	No, not an employer
<b>7) Direct Income for Workers' Compensation, include address</b>	No, not an address
<b>8) Direct Income Withholding, other income sources subject to, include address</b>	Employers only
<b>9) Direct Income Withholding, list</b>	Only employers are subject to direct income withholding

<b>Other Income Sources NOT subject to</b>	
<b>10) Federal Withholding (See Federal Pay Agents Section)</b>	IV-D Directors need not answer this question.
<b>11) Procedures for Contesting Income Withholding</b>	Yes, the NCP has 10 calendar days to appeal the Mandatory Withholding of Earnings to the administrative hearing officer
<b>12) Arrearages through Income Withholding</b>	Yes
<b>13) Enforcing Against Non-Resident Obligor Asset/Income</b>	Yes
<b>14) Exception to Immediate Withholding</b>	Yes, if the parties agree to alternative payment arrangement or the obligor provides proof that wage withholding is not in the best interest of the child because it would have an adverse effect on his employment.
<b>15) Multiple Obligations Withholding Priorities</b>	
• <b>Policy</b>	DCSE will issue one withholding for all the cases.
• <b>Priority</b>	The wage withholding orders take priority over any other type of lien created by state law against an employee's income, except prior similar wage deduction orders and the IRS.
• <b>Assistance</b>	Customer Services, 1-800-468-8894
• <b>Allocation</b>	When an employer receives more than one income withholding orders for support from other states, the employer must honor the terms of the earliest received order, and subsequent orders shall be honored in the order of receipt to the extent that the amounts withheld, when combined, do not exceed the maximum limits imposed by the CCPA .

## D. PATERNITY

<b>1) Interstate Paternity Procedures</b>	DCSE will attempt to establish paternity administratively first. If either of the parties refuse to sign an acknowledgment of Paternity form, DCSE will conduct blood testing. Judicial action is sought if either party does not submit to blood testing.
<b>Consent Orders Obtained</b>	Yes
<b>2) Uniform Parentage Act</b>	Yes
<b>3) Uniform Act on Blood Testing</b>	Yes
<b>4) Parentage Order Available Without Order for Support</b>	Yes, when it is requested by another IV-D agency.

5)	<b>Custody/Visitation Addressed Subject to Tribunal's Jurisdiction</b>	No
6)	<b>Genetic Test Results as Presumption of Paternity</b>	No, it is conclusive
	<b>Threshold</b>	98% or greater
7)	<b>Paternity Acknowledgment as Presumption of Paternity (Rebuttable/Conclusive)</b>	Conclusive
8)	<b>Marriage as Presumption of Paternity</b>	Yes, but it rebuttable presumption
9)	<b>Putative Father's Name on Birth Certificate, Effect of</b>	A putative father's name can appear on the birth certificate if the mother was unmarried at the time of the child's birth and both parents have acknowledged paternity, or if a court adjudicates paternity. The child's last name is only changed with the mother's consent.
10)	<b>Other Statutory Presumptions</b>	No
11)	<b>Recognition of Common Law Marriage</b>	No
12)	<b>Personal Appearance of Witness or Custodial Parent Required</b>	No
	<b>Acceptable Methods of Testimony</b>	Paternity Affidavit, teleconferencing, written documents
13)	<b>Long-Arm Statute</b>	Code of Virginia, Section 20-88.35
14)	<b>Assistance to Other States Using Their Long-Arm Statutes</b>	
	• <b>Service of Process</b>	Yes
	• <b>Genetic Testing</b>	Yes
15)	<b>Recovery of Genetic Testing Costs for Other States</b>	Yes, if requested

## E. SUPPORT ORDER ESTABLISHMENT

1)	<b>Interstate Procedures</b>	Handled same as local cases, if order exists, VA will enforce the existing order, if no order exists and paternity is not an issue, VA will establish an administrative support order. If administrative establishment is not possible, the case will be taken to court for judicial establishment.
2)	<b>Income Considered for Setting Support</b>	Combined monthly gross income of both parents income is considered when calculating the child support obligation. Gross

	income shall mean all income from all sources, and shall include royalties, bonuses, dividends, severance pay, pensions, interest, trust income, annuities, capital gains, social security benefits, workers' compensation benefits, unemployment insurance benefits, disability insurance benefits, veterans benefits, spousal support, rental income, gifts, prizes or awards. Spousal support included in gross income shall be limited to spousal support paid pursuant to a pre-existing order or written agreement paid pursuant to a pre-existing order or written agreement between the parties to the present proceeding. Any costs for health care coverage when actually being paid by a parent, to the extent such costs are directly allocable to the child or children, and which are the extra costs of covering the child or children beyond whatever coverage the parent providing the coverage would otherwise have, shall be added to the basic child support obligation. Any child care costs incurred on behalf of the child due to employment of the CP shall be added to the child support obligation.
<b>3) Criteria for Rebuttal</b>	<p>There shall be a rebuttable presumption in any judicial or administrative proceeding that the amount of the award which would result from the application of the guidelines is the correct amount of child support to be awarded.</p> <p>Administratively: Multiple family cases; Imputing Income; Also if an obligor is not satisfied with the obligation an appeal can be noted with ultimate decisions referred to court. Court may consider a number of other factors.</p>
<b>4) Support Order for Prior Periods</b>	Yes

## **F. ENFORCEMENT**

**(Note: If multiple orders, see Part “G”)**

### **I. ENFORCING YOUR OWN ORDER**

<b>1) Enforcement for Non-Resident Family</b>	Same as a resident family
<b>2) Administrative Procedures and Remedies Available</b>	Yes, Paternity establishment, establishment of a child support obligation, enforcement
<b>3) Judicial Procedures and Remedies Available with Registration</b>	Yes, if administrative remedies are not successful

### **II. ENFORCING OTHER STATES’ ORDERS**

<b>4) Administrative Procedures and Remedies Available Without Registration</b>	VA will use all administrative enforcement remedies without registering the order. If administrative enforcement fails, VA will register the order for enforcement with the court. DCSE will
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	register the order for modification.
5) <b>Judicial/Administrative Remedies with Registration</b>	Any, including modification
6) <b>UIFSA/URES A Registration and Enforcement Procedure</b>	Orders can be registered under UIFSA for either enforcement or modification and enforcement.
7) <b>Judicial Procedures Required after Registration</b>	No additional judicial procedures required after registration. After registration for enforcement and modification, VA can modify if VA has jurisdiction to do so
8) <b>Uniform Enforcement of Foreign Judgments Act Citation</b>	Virginia Code, Chapter 17.1, Sections 8.01-465.1 to 8.01-465.5

## G. MODIFICATION/REVIEW & ADJUSTMENT OF ORDERS

1) <b>Jurisdiction Requirements</b>	CEJ analysis according to UIFSA principles
2) <b>Modification Procedures</b>	<p>Either party in a IV-D case (including the AFDC custodial parent) or a IV-D agency may request a review of the child support obligation at any time. The request must be in writing.</p> <p>Regardless of whether a review has been requested, child support orders for active obligated AFDC, AFDC/FC, and Medicaid only cases are reviewed every 36 months from the date of the entry of the most recent order. Modifications may be either for an increases or decreases. Reviews can be requested on child support cases with DCSE or the court. DCSE will initiate a review of the amount of support ordered by any court or administrative agency. If the child support order is court ordered and the order specifies that the order deviated from the child support guidelines, DCSE petitions the court for a hearing. If the order is a court order and the order does not specify that the order deviates from the guidelines, DCSE asks the court to approve the Proposed Modified Order.</p>
3) <b>Criteria for Modification</b>	An adjustment is made (up or down) if a material change in circumstances has occurred. A material change in circumstances has occurred if the difference between the existing child support obligation amount and the new obligation amount is at least 10% of the existing obligation amount, and the change in the monthly obligation is at least \$25.
4) <b>Criteria for Change of Circumstances</b>	VA law does not define change of circumstances.
5) <b>Frequency With Which Reviews are Conducted</b>	At the request of either party or IV-D agency. Regardless of whether a review has been requested, child support orders for active AFDC, AFDC/FC, and Medicaid only cases are reviewed every 36 months from the date of the entry of the most recent order.
6) <b>Criteria for Review</b>	Request be made in writing. Either party in a IV-D case (including the AFDC custodial parent) or a IV-D agency may



	request a review of the child support obligation at any time.
<b>7) Criteria for Adjustment</b>	At the request of either party; at the request of another IV-D agency and there is a difference between the existing child support obligation amount and the new obligation amount is at least 10% of the existing obligation amount, and the change in the monthly obligation is at least \$25

## **H. MULTIPLE ORDERS**

### **ENFORCEMENT AND MODIFICATION**

<b>1) Controlling Order</b>	CEJ analysis per UIFSA, Code of VA 20-88.39. Order issued in the child's home state; if no order for the child's current home state, order most recently entered.
<b>2) Date of Controlling Order</b>	Date the analysis is made
<b>3) If No Controlling Order</b>	If no controlling order, VA will enforce the most recent order.
<b>4) Arrears Procedure</b>	VA will enforce and collect arrears that have accrued under an order if requested.

## I. Documentation Required to Initiate Requests

ACTION REQUESTED	DOCUMENTS NEEDED	# of Copies of each document	Certification required for each document  *See below
Establishment of Paternity and Support	Child Support Enforcement Transmittal, Child Support Enforcement Acknowledgment,  Uniform Support Petition,  General Testimony for URESA, Paternity Affidavit,  Locate Data Sheet	3 3 3 3 3	E E A A E
Enforcement of Responding State's Order	Child Support Enforcement Transmittal, Acknowledgment,  Uniform Support Petition,  Locate Data Sheet  All orders	3 3 3 1 2	E E A E C
Modification of Responding States' Orders	Child Support Enforcement Transmittal, Child Support Acknowledgment, Uniform Support Petition,  General Testimony for URESA,  Locate Data Sheet  All orders	3 3 3 1 2	E E A E C
Administrative Enforcement of Another States' Order	Child Support Enforcement Transmittal, Child Support Acknowledgment, Uniform Support Petition,  General Testimony for URESA,  Locate Data Sheet  All orders	3 3 3 1 2	E E A E C
Registration for Enforcement of Another States' Order	Child Support Enforcement Transmittal, Child Support Acknowledgment, Uniform Support Petition,	3 3	E E

<b>ACTION REQUESTED</b>	<b>DOCUMENTS NEEDED</b>	<b># of Copies of each docu- ment</b>	<b>Certifi- cation required for each docu- ment  *See below</b>
	General Testimony for URESA,  Locate Data Sheet  All orders	3  1  2	A  E  C
Collection of Arrearages in Multiple Orders	Child Support Enforcement Transmittal,  Child Support Acknowledgment, Uniform Support Petition,  General Testimony for URESA,  All orders	3  3  3  3  2	E  E  A  E  C
Uniform Enforcement of Foreign Judgments Act			
Modification of Another State's Order	Child Support Enforcement Transmittal,  Child Support Acknowledgment, Uniform Support Petition,  General Testimony for URESA,  All orders	3  3  3  3  2	E  E  A  E  C
Status Update on an Existing Interstate Case	Child Support Enforcement Transmittal	1	E
Assistance/Discovery	Request for Assistance/Discovery	1	E
Quick Locate	Locate Data Sheet	1	E

*\*A= Notarization by Notary Public; B= Certification by signature of agency official;  
C= Certification by signature of court official; D= Others (please specify);  
E= Certification not required*

## J. State Contact Chart

ASSISTANCE NEEDED	CONTACT  Name, Title, Address, Phone, Fax, E-mail (include 800 if applicable)
State Information Agent	<p>Cher Price, , Office Manager</p> <p>SPLS/Central Registry</p> <p>730 East Broad</p> <p>Richmond, VA 23219</p> <p>Fax 692-1405</p> <p>E-Mail - URE8</p>
Central Registry	<p>Cher Price</p> <p>SPLS/Central Registry</p> <p>730 East Broad</p> <p>Richmond, VA 23219</p> <p>Fax 692-1405</p> <p>E-Mail - URE8</p> <p>(804) 692-1491</p>
Interstate Policy Contact (if different)	<p>Jarnice Johnson, Policy Specialist</p> <p>730 East Broad Street</p> <p>Richmond, VA 23219</p> <p>(804) 692-2405</p>
Contact for Information Regarding Your States Long Arm Statute and Process	<p>Jarnice Johnson, Policy Specialist</p> <p>730 East broad Street</p> <p>Richmond, VA 23219</p> <p>(804) 692-2405</p>
Contact for Information Regarding Collection and Distribution (State level)	<p>Margret Williams, Manager of Collections and Entry</p> <p>(804) 692-1356</p> <p>Richard Pyle, Manager of Distribution and Control</p> <p>(804) 692-1364</p>
Contact to Obtain Payment Records	Reta Mills, Manager

	<p>Customer Services</p> <p>730 East Broad Street</p> <p>Richmond, VA 23219</p> <p>(804) 692-1413</p>
Contact to Obtain Copy of Order	<p>Cher Price, Office Manager</p> <p>SPLS/Central Registry</p> <p>730 East Broad</p> <p>Richmond, VA 23219</p> <p>Fax 692-1405</p> <p>E-Mail - URE8</p>
Contact for States Using Their Long Arm Statutes or Continuing Exclusive Jurisdiction (no “case” in your State) for	<p>Jarnice Johnson</p> <p>Theater Row Building</p> <p>730 East Broad Street</p> <p>Richmond, VA 23219</p> <p>(804) 692-2405</p> <p>Fax (804) 692-2410</p>
<p>Service of Process</p> <p>(private process server? If so , list)</p>	<p>Cher Price</p> <p>SPLS/Central Registry</p> <p>730 East Broad</p> <p>Richmond, VA 23219</p> <p>Fax 692-1405</p> <p>E-Mail - URE8</p>
<ul style="list-style-type: none"> <li>Genetic Testing</li> </ul> <p>( e.g. assistance with interstate teleconferencing)</p>	<p>Cher Price</p> <p>SPLS/Central Registry</p> <p>730 East Broad</p> <p>Richmond, VA 23219</p> <p>Fax 692-1405</p> <p>E-Mail - URE8</p>
New Hire Reporting Contact	<p>Terry Gates, Manager</p> <p>Office of Program Monitoring and Evaluation</p>

	730 East Broad Street Richmond, VA 23219 (804) 692-1460
Employer Assistance Contact	
Telephone Number for Automated Interstate Case <i><b>Status</b></i> Requests  (if any)	Cher Price SPLS/Central Registry 730 East Broad Richmond, VA 23219 Fax 692-1405 E-Mail - URE8
Telephone Number for Automated Interstate Case <i><b>Payment</b></i> Requests  (if any)	None
Privatization Contact	

## **Enclosure E**

### **1996 Automated Address Systems and Roster Survey**

**State:** Virginia

**IV-D Director:** Joseph S. Crane, Interim Director

Currently the Virginia Division of Child Support Enforcement does not use the automated IRG. However, the contact person in Virginia is

Cher Price  
SPLS/Central Registry  
730 East Broad  
Richmond, VA 23219  
Fax 692-1405  
E-Mail - URE8

June 6, 1996

Heather Tonks  
National Child Support Enforcement  
Association  
400 North Capital Street, Suite 370  
Washington, DC 20001-1512

Dear Ms. Tonks:

Attached is the update to the Interstate Roster and Referral Guide. I apologize for the delay in getting this information to you.

If you have any questions regarding this information, please contact Jarnice Johnson at (804) 692-2405.

Sincerely,

Joseph S. Crane, Interim Director  
Division of Child Support Enforcement

Attachments